

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

U.S. PTO
10/661881
03915



03/17/03

**UTILITY PATENT APPLICATION
TRANSMITTAL LETTER
UNDER 37 C.F.R. 1.53(b)**

ATTORNEY DOCKET NO.:
11245/46403

Address to:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith for filing is the patent application of

Inventor(s): **WAKSAL et al.**

For : **TREATMENT OF HUMAN TUMORS WITH RADIATION AND
INHIBITORS OF GROWTH FACTORS RECEPTOR TYROSINE
KINASES**

Enclosed are:

1. **21** sheets of specification, **4** sheets of claims, **1** sheet of abstract.
3. Declaration and Power of Attorney (copy from prior application (37 CFR 1.63(d)) (See paragraph 5 below).
4. Applicants submit concurrently herewith a Petition for Extension of Time to extend the time for response to the outstanding Office Action, dated March 11, 2003, for three months.
5. Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 3 above is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. Continuing application information:

This application is a continuation of application serial number 09/312,286 filed May 14, 1999, which claims priority to Provisional Application Serial No. 60/085,613, filed May 15, 1998.

7. In Accordance with 37 CFR §1.821(e), a Sequence Listing in computer readable form for application Serial No. 09/312,286 was submitted to the Patent and Trademark Office on October 12, 1999. The present application is a continuation of Serial No. 09/312,286, and the Sequence Listing contains information identical to the computer readable Sequence Listing submitted in connection with application Serial No. 09/312,286.

Further, in accordance with 37 CFR §1.821(f), the Applicant herein states that the contents

of the earlier filed computer readable Sequence Listing and the paper copy of the Sequence Listing, submitted herewith as part of the specification, are identical.

8. The filing fee has been calculated as shown below:

	NUMBER FILED	NUMBER EXTRA*	RATE (\$)	FEE (\$)
BASIC FEE				750.00
TOTAL CLAIMS	39	- 20 =	19	18.00
INDEPENDENT CLAIMS	1	- 3 =	-0-	84.00
MULTIPLE DEPENDENT CLAIM PRESENT				260.00
*Number extra must be zero or larger			TOTAL	1,092.00
If applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.				SMALL ENTITY TOTAL

9. Please charge the required application filing fee of **\$1,092.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
10. The Commissioner is hereby authorized to charge payment of the following fees, associated with this communication or arising during the pendency of this application, or to credit any overpayment to deposit account number **11-0600**:
- Any additional filing fees required under 37 C.F.R. § 1.16;
 - Any additional patent application processing fees under 37 C.F.R. § 1.17;
 - Any additional patent issue fees under 37 C.F.R. § 1.18;
 - Any additional document supply fees under 37 C.F.R. § 1.19;
 - Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
 - Any additional miscellaneous fees under 37 C.F.R. § 1.21.
12. A copy of this sheet is enclosed.

Dated: September 11, 2003

By:



Kathryn M. Lamb (Reg. No. 46,885)

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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**REQUEST FOR EXTENSION OF TIME
PURSUANT TO 37 C.F.R. § 1.136(a)**

Docket Number:
11245/46403

Application Number 09/312,286	Filing Date May 14, 1999	Batch No.	Examiner Anne L. Holleran	Art Unit 1642
Invention Title TREATMENT OF HUMAN TUMORS WITH RADIATION AND INHIBITORS OF GROWTH FACTORS RECEPTOR TYROSINE KINASES			Inventor(s) WAKSAL et al.	

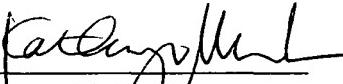
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Alexandria, VA 22313-1450

Applicants respectfully request a three-month extension of time in which to respond to the Office Action mailed March 11, 2003, for which a response period expiring on June 11, 2003 was set. The extended period expires on September 11, 2003.

1. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.136(a) extension fee of \$930.00 to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**. The Commissioner is also authorized to charge any additional fees or credit any overpayment to Deposit Account 11-0600.
2. A duplicate copy of this form is enclosed.

Respectfully submitted,
KENYON & KENYON

Dated: September 11, 2003

By: 
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